

8-10-05 JC06 Rec'd PCT/PTO 09 AUG 2005

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Approved for use through 11/00/05 MB 0651-0021

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
**60288-USA**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
**10/528,740**

INTERNATIONAL APPLICATION NO.  
**PCT/US03/28791**

INTERNATIONAL FILING DATE  
**12 September 2003 (12.09.2003)**

PRIORITY DATE CLAIMED  
**18 September 2002 (18.09.2002)**

TITLE OF INVENTION **Insecticidal Tricyclic Derivatives**

APPLICANT(S) FOR DO/EO/US **ARGENTINE, Joseph A., et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center; font-size: 1.2em;">10/528,740</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center; font-size: 1.2em;">PCT/US03/28791</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center; font-size: 1.2em;">60288-USA</div>	
20. Other items or information: Form PCT/DO/EO/905 (copy) (2 pgs.), Declaration for Patent Appl. & Power of Attny. (4 pgs.), Express Mail Certificate, Postcard			
The following fees have been submitted		<div style="display: flex; justify-content: space-between; font-weight: bold;"> <span>CALCULATIONS</span> <span>PTO USE ONLY</span> </div>	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
<b>TOTAL OF 21, 22 and 23 =</b>		<div style="display: flex; justify-content: space-between;"> <span></span> <span>0.00</span> </div>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		<div style="display: flex; justify-content: space-between;"> <span></span> <span>0.00</span> </div>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">Total Sheets</div> <div style="width: 20%;">Extra Sheets</div> <div style="width: 40%;">Number of each additional 50 or fraction thereof (round up to a whole number)</div> <div style="width: 20%;">RATE</div> </div>	<div style="display: flex; justify-content: space-between;"> <span></span> <span>0.00</span> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">- 100 =</div> <div style="width: 20%;">/50 =</div> <div style="width: 40%;"></div> <div style="width: 20%;">x \$250</div> </div>	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>0.00</span> </div>		
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>130.00</span> </div>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">CLAIMS</div> <div style="width: 20%;">NUMBER FILED</div> <div style="width: 20%;">NUMBER EXTRA</div> <div style="width: 20%;">RATE</div> </div>	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">Total claims</div> <div style="width: 20%;">- 20 =</div> <div style="width: 20%;"></div> <div style="width: 20%;">x \$ 50</div> </div>	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">Independent claims</div> <div style="width: 20%;">- 3 =</div> <div style="width: 20%;"></div> <div style="width: 20%;">x \$200</div> </div>	<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span></span> </div>		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>0.00</span> </div>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>130.00</span> </div>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		<div style="display: flex; justify-content: space-between;"> <span></span> <span>0.00</span> </div>	
<b>SUBTOTAL =</b>		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>130.00</span> </div>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>0.00</span> </div>	
<b>TOTAL NATIONAL FEE =</b>		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>130.00</span> </div>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>0.00</span> </div>	
<b>TOTAL FEES ENCLOSED =</b>		<div style="display: flex; justify-content: space-between;"> <span>\$</span> <span>130.00</span> </div>	
		Amount to be refunded:	\$
		Amount to be charged	\$

08/16/2005 GFREY1 00000094 061440 10528740  
01 FC:1617 130.00 DA

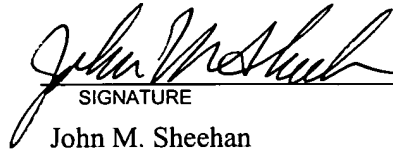
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 06-1440 in the amount of \$ 130.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1440. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

John M. Sheehan  
FMC Corporation  
1735 Market Street  
Philadelphia, PA 19103



SIGNATURE

John M. Sheehan

NAME

26,065

REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

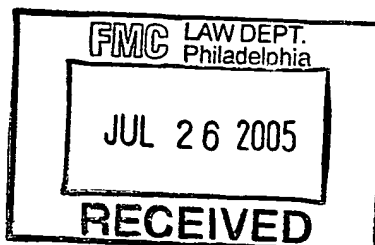
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UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,740	Joseph A Argentine	60288-USA

INTERNATIONAL APPLICATION NO.	
PCT/US03/28791	
LA. FILING DATE	PRIORITY DATE
09/12/2003	09/18/2002

John M Sheehan  
 FMC Corporation  
 1735 Market Street  
 Philadelphia, PA 19103



CONFIRMATION NO. 6991  
 371 FORMALITIES LETTER



\*OC000000016573305\*

Date Mailed: 07/21/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/17/2005
- Copy of the International Search Report filed on 03/17/2005
- Copy of IPE Report filed on 03/17/2005
- Oath or Declaration filed on 03/17/2005
- Request for Immediate Examination filed on 03/17/2005
- U.S. Basic National Fees filed on 03/17/2005
- Priority Documents filed on 03/17/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,740	PCT/US03/28791	60288-USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joseph A. Argentine, *et al.*  
Application No.: 10/528,740  
International Application No.: PCT/US03/28791  
For: Insecticidal Tricyclic Derivatives

National Filing Date: March 17, 2005  
International Filing Date: September 12, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

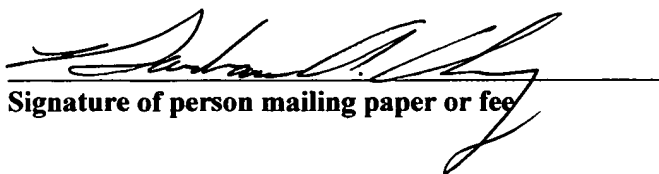
"Express Mail" label number EV196215989US  
Date of Deposit August 9, 2005

I hereby state that the following *attached* paper or fee

Transmittal Letter to the United States Designated/Elected Office  
(DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 (3 pgs.) (in duplicate)  
Form PCT/DO/EO/905 (copy) (2 pgs.)  
Declaration for Patent Application and Power of Attorney (4 pgs.)  
Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Barbara A. Cherry



Signature of person mailing paper or fee